Theocracy and Democracy



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Theocracy and Democracy

The Meaning of Theocracy

point

The concept of theocracy or the sovereignty of God, admittedly, would sound strange and remote in a society as today's. Centuries and ages have passed without such ideas and concepts making any impression on the minds of those who have ruled and administered human societies or there being any discussion about them.

Moreover, the intellectual arena has been occupied by cults of sovereignty of kings or that of the people. That is why any scheme of deliverance of mankind from the bondage of egoism and self-alienation appears vainglorious and farfetched.

Henceforth, it is the demand of a humane and truth-seeking logic not to surrender our search in the despair and fear of an artificial intellectual atmosphere created by

power…hungry and egocentric rulers. Undaunted by the fearsome gallery of idols, we should courageously examine every kind of beneficial and promising truth.

But before everything, let us try to clear up the heavy mists that lurk around the concept of Divine sovereignty and dissociate it from the many layers of prejudice and ignorance that conceal its real face. There are two elements in the term theocracy: God (theos, god) and sovereignty (Kratein, to rule). We shall examine each of them beginning with God.

۱. God

Obviously the concepts forged in common minds about God, or the ideas

of some suffering from some kind of allergy regarding that Supreme Being cannot be .of much value for obtaining the knowledge of that Supreme Being

The strangest of intellectual aberrations is observed in this regard: the necessity of differentiating between the crude and commonplace notions of a reality and the specialist's version of it, is acknowledged in every scientific discipline; nevertheless (this rule is not observed in the case of God! (١

To illustrate what we have said, a botanist in his research about a certain kind of shrub or herb is not content to take the coarse opinions of a shepherd, who has never been out of his village or valley, as the last word about a variety of herb of that .species common in his village

However with regard to the meaning of the word “God,” it is considered sufficient to .rely on the most rudimentary notions

هـسـتـش خـدامـثـال یـکـی بادشـای بیر بـالاـی آسـمـون تـنـه وربایـه بنـدری

هـرجـا کـه رامـره ادامـاش بـاخـودش مرن دیـوونخـونـش جـوحیـطه مصـفـایه یندری

,God: an old king in heaven

;Squatting on the roof of the great sky

;His courtroom, an impeccable magnificence

.Wherever he goes, his entourage follow him

They don't know the God known by Ibrahim al-Khalil, Musa ibn Imran, ‘Isa ibn Maryam and Muhammad ibn ‘Abd Allah (S). They have not the remotest idea of what “God” meant for men like ‘Ali ibn Abi Talib. Further, on a level much lower than those great spiritual figures, they

1 - The late Ayatullah Aqa Mirza Muhammad Husayn Na'ini, in his book Tanbih al-ummah wa tanzih al-millah, p. 17, rejects this misconception in these words: In the same way as submission to the whims of tyrants and despots is a form of slavery in the sphere of politics, so also uncritical surrender to the dogmas and dictates of religious figures put forth in the name of religion, is also another form of slavery.'

don't understand the discovery of Divine made by such persons as Ibn Sina, Suhrawardi, Shaykh Mahmud Shabistari, Jalal al…Din al…Rumi and Descartes, who said: “If someone were to allow himself to doubt the existence of God, I would consider him incapable of proving to me even the self…evident principles of ”.Mathematics

When we speak of “the rule of God upon earth and upon men,” our conception of what we mean by “God” makes all the difference. Is it ‘an old man in heaven squatting on the roof of the world,' or is it the Being worshipped as their Lord by men such as ‘Ali ?ibn Abi…Talib, or Abu…Dharr, his pupil, and such others as the poet Rumi

The Deity whose rule on earth and upon mankind is implicit in the concept of theocracy, is the Omnipotent Being the imprint of Whose Will is clearly manifested in the wonderful order of the universe. It is the All…powerful, All…knowing Being, Who, through His absolute power and wisdom, ‘reveals' human models for liberation from .egoism and the worship of earthly pleasures

It is the God Whose discovery has been expressed in differing words by all aware and enlightened human beings in all human societies from the most ancient times to the present. It is the God, the relation between Whose ‘radiance' with all other beings is .similar, though not identical, to that of light passing through transparent bodies

It is the God Who has given the capacity and power to the pure human nature, and

the magnificent conscience of man, to discover Divine Will, judge truth and falsehood, and select rational life, through the means of prophetic revelation and reason. It is the God who has endowed all human beings with the capacity of direct or indirect contact .with Him

It is the God who has bestowed man with the power of acquiring perfection, and shown him the way to it. It is the God who exalts him into His Presence on having acquired a higher awareness. It is the God who originated the creation of the universe and man on the basis of justice, and has condemned injustice against even the most insignificant of living things. It is the God, the ways of approach to Whom, are as :numerous as the number of the souls of creatures

(اَلْطُّرُقُ إِلى اللهِ بِعَدَدِ نُفُوسِ اْلخَلائِق) او بِعَدَدِ اَنْفاسِ الْخَلايِق.

(The ways towards God are as numerous as the number of souls of the creatures.)[1]

Yes. This is what is meant by “God” in our discussion of the concept of theocracy or the sovereignty of God. It is not the “god” fabricated by vulgar minds, or invented by egocentric men of the world, whose minds have been retarded in the most elementary stages of gnosis by a social environment forged by egoistic and power…hungry demagogues and despots.Yes. This is what is meant by “God” in our discussion of the concept of theocracy or the sovereignty of God. It is not the “god” fabricated by vulgar minds, or invented by egocentric

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۱- Abd al…Wahid Amadi, Ghurar al…hikam wa durar al…kalim, p. ۴۲۹.

men of the world, whose minds have been retarded in the most elementary stages of gnosis by a social environment forged by egoistic and power…hungry demagogues .and despots

Sovereignty .۲

The same kind of intellectual delusions and aberrations that surround the conception of God also exist in the case of the concept of theocracy. There might be some who imagine that what is implied by theocracy is that, God, having personified himself in a stately form, sits down behind a table stacked with files and scribbles out "laws" on sheets of paper …and having written them down, gets up swinging a lash and !determined to see them implemented

To others it means that God plans to impose His will upon men through his self righteous henchmen and tyrannical priests, whose dictates He expects all mankind to obey. There are still others who think that theocracy means the sovereignty and domination of a priestly class who profess spirituality in a way similar to professionals and craftsmen of various kinds. Such kinds of misconceptions about theocracy proliferate in the minds of untutored populace. However, their value for an understanding of the significance of theocracy, is the same as the worth of dumping grounds of the garbage of a big city for knowing the life…style of its scholars and .geniuses

The relationship of God with human beings can be compared to the relationship of the soul with the activities of the body. However, the caution is necessary that it is only an approximate metaphor; for, nothing can

:be likened to God in accordance with the Qur’anic verse

لَيْسَ كَمِثْلِهِ شَيْءٌ.

)Nothing is like Him. “(۴۲:۱۱“

Nevertheless, this obviously imperfect allegory can be used to illustrate the concept of Divine sovereignty. It is impossible to deny that the human “ego,” “self,” “soul,” or whatever we may name it, is the active principle behind the administration of the total personality of the human being. The “self,” through its various faculties, administers and manages the realm of an individual's existence. If we extend this metaphor to the domain of human society, we can say that the most developed intellects of humanity, and the purest and unpolluted nature and consciousness of man in the form of God…sent prophets and messengers, are the agency and means of God's sovereignty .and rule

In other words the meaning of sovereignty of God, is manifestation of Divine Will in 'human society, through the medium of Divine apostles and through un-deviated human reason and consciousness. It is comparable to the human will centered in the “self” which causes the body's limbs to be moved in accordance with its volitions .through the agency of nerves and muscles

The question may arise whether it is possible to accept this interpretation for the possible actualization of the potential sovereignty of God. Our reasons for considering :it as acceptable are the following

۱. There can be no doubt that except for the devotees of Machiavellian politics and unabashed advocates of social Darwinism seeking to offer theoretical justification for the lusts of egocentric tyrants and despots, it

has been the sincere endeavour of all leading thinkers of humanity in the realms of economics, politics, human sciences and education, and every other sphere of human endeavour, to search for things and discover that which can be truly beneficial for human happiness and felicity. The Holy Qur’an describes this sacred phenomenon in :these words

فَأَمَّا الزَّبَدُ فَيَذْهَبُ جُفَاءً وَأَمَّا مَا يَنفَعُ النَّاسَ فَيَمْكُثُ فِي الْأَرْضِ.

As for the scum, it vanishes as jetsam, and what profits men abides in the earth. Even“ (so God strikes His similitudes. “(۱۳:۱۷

This is a kind of Divine sovereignty that operates through the laws of creation (hakimiyyat al…tahwin, creative sovereignty). As to the legislative sovereignty (hakimiyyat al…tashri’), it operates in the manner described in the following Qur’anic :verse

قَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ لِيَقُومَ النَّاسُ بِالْقِسْطِ...

Indeed We sent Our Messengers with the clear signs, and We sent down with them“ (the Book and the Balance so that men might uphold justice. “(۵۷:۲۵

Is not the essence of justice, whose achievement the Qur’an regards as being the goal of Divine laws and the mission of apostles, innate and ingrained within human conscience, consciousness and reason, in their state of purity? The fact that no school of thought has ever had the power to explicitly contradict the idea of justice, is a .testimony to the truth of the above statement

This is the meaning of ‘sovereignty of God,' which acts through the agency of Divine messengers, and which has no other purpose than to reinforce the positive traits .ingrained in human nature

All philosophers and .۲

thinkers who have endeavoured to understand human nature, with all their difference of opinion and divergence in their outlook of the universe and man, are united in the opinion that man in the process of his movement towards perfection is capable of attaining the independence and sublimity of a being symbolized by 'rational life,' by .cultivating the foundations of his destiny and bringing it to fruition

The unceasing endeavours of the benefactors of humanity, for the realization of this independence and sublimeness, have been so preponderant through the course of history that the egocentric power…worshipping followers of Machiavellian politics have failed to reduce their significance. This sublimity and independence rests on the basis of that freedom of man which can afford him to attain the station of .self…determination

The human propensity for a serious, unceasing search for this freedom, independence and self…determination, is the basic manifestation of Divine sovereignty upon human beings. It is not possible to ascribe this urge for emancipation from extraneous coercive agents and passion for attainment of self…determination to a bundle of natural or instinctive factors. It was the endeavour .for this emancipation that has always saved man from annihilation

This self…determination, which means a fully blossomed freedom dedicated to goodness and perfection, is impossible without acceptance of a Supreme Being and .without a sense of commitment to the highest of human values

Consequently, the meaning of Divine sovereignty is that God, the Supreme, has planted the seeds of goodness and perfection in the nature of

man, and arranged for the conditions of their growth through inspired reason and conscience, and revelations conveyed through Divine messengers, and demanded .their steady cultivation from mankind

It is well…known that a group of leading thinkers have seriously favoured the idea .۳ that rulers should be righteous philosophers. Plato, in his Republic, after distinguishing between genuine and counterfeit philosophers, argues that the former are fit to be the Guardians of the state. In a dialogue between Socrates and Glaucon, in the Book VI of the Republic, the following characteristics of the true philosophers are :enumerated

;an eager desire for the knowledge of all real existence .۱

;hatred of falsehood, and devotion to truth .۲

;contempt for the pleasures of the body .۳

;indifference to money .۴

;high mindedness and liberality .۵

;justice and gentleness .۶

;a quick apprehension, and a good memory .۷

.a musical, regular, and harmonious disposition .۸

If we ponder upon these sublime human qualities pointed out by Plato as requisite for rulers, we shall find that the rule of such persons is in fact the sovereignty of God upon earth. This is not an outdated idea of an ancient mind, but a reality that shall be acknowledged by every researcher of insight and enlightened conscience interested .in fathoming the problem of government with all due sincerity and seriousness

For instance, those familiar with the political thought of Rousseau, know that despite his support for a government and society based on the concept of democracy, he is of the opinion that “to discover the rules of society

that are best suited to nations, there would need to exist a superior intelligence, who could understand the passions of men without feeling any of them, who had no affinity with our nature but knew it to the full, whose happiness was independent of ”.ours, but who would nevertheless make our happiness his concern

From these criteria that Rousseau draws for an optimum lawgiver, he comes to the conclusion that only “gods would be needed to give men laws.” Obviously only Divine messengers and God's deputies on earth … as they are called in the terminology of the Islamic religion … can fulfill the role envisaged by Rousseau for “gods” as the perfect lawgivers. Perhaps, that is what Rousseau … being a Christian and a monotheist that :he was … in fact implied. In another place he writes

A sublime reason, which soars above the heads of the common people, produces those rules which the lawgiver puts into the mouth of the immortals, thus compelling by divine authority persons who cannot be moved by human prudence. But it is not for every man to make the gods speak, or to gain credence if he pretends to be an interpreter of the divine word. The lawgiver's great soul is the true miracle which must .vindicate his mission

The salient difference between Plato's stand and that of Rousseau is that, while Plato considers a group of qualities as necessary for rulers, Rousseau regards a Divine .dimension in the lawgiver as being the essential condition

A close examination of the opinions of these two thinkers will bring us to a truth recognized by Islam: it is necessary for the legislator to possess a Divine dimension, a condition fulfilled by God…sent messengers and infallible Imams, both of whom are equipped with Divine morals.

The same qualification is required in Islam for leaders and rulers; that is, the rulers hold sovereignty by virtue of a relation with the Divine. In the case an apostle is a ruler, his link with the Divine exists by virtue of his Divine morality and through the medium of revelation. In the case where the ruler is an infallible Imam, his link with the Divine exists by virtue of his immaculate personality and Divine morals without the presence of revelation.

In the light of what has been said above, the sole solution of the problem of true democracy framed by Plato and Rousseau is the existence of Divine personalities among human beings, without which the problem of selection of ruler and legislator is absolutely insolvable. The conclusion that can be drawn from this discussion is that sovereignty of God over man is not contradictory to the precept of participation of people in determining their own destiny or for attaining a "rational life" dependent on Divine principles and interpretable according to the highest criteria of life.

Earlier in our discussion we mentioned the imperfect metaphor of relationship of God with mankind as resembling the one between the soul and its activities. This is partially borne

:(out by the following statement of ‘Ali ibn Abi…Talib (A

داخِلٌ فِی اَلاشْیاء لا بِالْمُمازَجهِ وَخارِجٌ عَنِ اْلأَشْیاءِ لا بِالْمُبایَنَه.

.God is] inside things without intermingling and outside them without exclusion]

Accordingly, the relation between sovereignty of God upon human beings and democracy, is like the relation between the soul and its activities. For example, when the people, or a group of wise men of wholesome minds and undeviated consciousness, recognize a truth, a law based upon this perspective and implemented by the people will be enforcement of Divine sovereignty by people upon the people. The criterion behind this is what is called ‘the authority of reason' based upon the ,principle

کُلَّما حَکَمَ بِهِ الْعَقْلُ حَکَمَ بِهِ الشَّرْعُ.

which means every judgement given by reason is the same as the judgement of the '.Shari'ah, and is called ‘the prince of concurrent necessity of reason and the Shari'ah

Most of us know that the reason and conscience of the masses are handicapped on account of their restricted perspective and vague vision of the ultimate purposes of life, and also on account of continued darkening of their intellectual horizon by the .clouds of lusts and egocentric inclinations

These factors, together, deprive reason of its efficiency and of its effective role in administration of public life. Rather, it may be said that the higher spheres of ‘rational life,' throughout history, have remained outside the arena of popular consciousness. That is why, there arises the necessity for the mission of the God…sent prophets, who, by virtue of their direct

link with God, through the agency of revelation, strive to liberate mankind's intellect and conscience from bondages and clinging impurities gathered through egoism and .materialism

It is for this reason that the reliable Islamic traditions refer to the intellect as “the inner testimony,” and to the Divine messengers as “the outer testimony” of God. :Imam Ja'far al-Sadiq (A) is related as having told his disciple Hisham

((يـا هشـــــــــــام إنَّ للهِ على النَّاسِ حُجَّتَيْــــــــــنِ: حُـجَّـــــةٌ ظاهِـــــرةٌ وَ حُـجَّـــــــةٌ باطِنَـــــةٌ فأمَّـــــا الْظاهِـــرةُ فَالرُّسُـــــلُ وَ الْأنْبِيـــــاء وَ أمَّـــــــا الْباطِنَةُ فَالْعُقُـــــولُ)).

O Hisham, God has two (kinds of) testimonies (hujjatayn) against mankind: the outer (or the manifest) testimony (hujjah zahirah) and the inner testimony (hujjah batinah). The prophets, messengers and imams are the manifest testimony, and the intellect ('aql) is the inner testimony.(١)

:Another tradition refers to prophets as men of perfect intellects

وَ لا بَعَـــثَ اللهُ نَبِيّـــــــا وَ لا رَسُـــــــولاً حَتّـــــــى يَسْتَكْمِلَ الْعَقْلَ وَ يَكُونُ عَقْلُهُ أَفْضَلَ مِن [جَمْيعِ عُقُولِ] أُمَّتِهِ.

God has not sent any prophet or messenger, unless that He perfected his intellect. A prophet's intellect is superior to that of every individual of his nation.(٢)

Yet another tradition refers to 'aql (intellect) as being the guide of a true believer :((mumin

اَلْعَقْلُ دَليلُ المُؤمِنِ.

Intellect (or reason) is the guide of a mu'min.(٣)

Ali, Amir al-Mu'minin (A), in the first sermon of the Nahj al-balaghah, considers' :fruition of people's intellects as being one of the aims of prophetic mission

وَ يُثِيرُوا دَفائِنَ الْعُقُولِ.

and they (the prophets) bring to surface the buried treasure of (the people's)...

(intellects.(۴

Now, the question arises whether

۱- Kulayni, Usul al...Kafi, vol. I, p. ۲۵.

۲- Kulayni, Usul al...Kafi, vol. I, p. ۱۳.

۳- Abd al...Wahid Amadi, Ghurar al...hikam wa durar al...kalim, p. ۴۲۹.

۴- Nahj al...Balagha, Sermon ۲۱۴, vol. III, p.p. ۲۲۶...۲۲۷.

it is possible that there may sometimes be a contradiction between the two forms of testimony, that is, intellect and prophethood? According to Islam, such a situation is impossible; because, it would be absurd for the prophets first to introduce reason or intellect as a collaborator in their mission, and, later on, to discover it to be opposed to !their teachings

Moreover, the perfect harmony between intellect and prophetic revelation is also confirmed by the matter that, in Islamic jurisprudence, reason is considered as one of the sources of Islamic law; the other three being: the Book, the Prophet's sunnah (practice) and consensus (ijma'). On the basis of what has been said hitherto, it may be asserted that a society whose laws are based on the people's uncorrupted intellect, and in which, these laws, thus framed, are implemented by a ruler of fully ... developed intellect, has a government of the people upon themselves through the means of laws and regulations derived from prophetic revelation and human reason .((the inner and outer testimonies of God

A Metaphor

According to the conclusion reached above, the government of the people over themselves, in Islam, is similar to the sovereignty of the soul over human activity and behaviour. The real objective of such a government is to support and strengthen the material and spiritual dimensions of the society, to eliminate the causes of distress of the people, and to insure their movement towards the goal of highest felicity referred .'to as 'rational life

The establishment of such

a government is not possible through merely material and purely physical or natural .means based on diverse selfish interests of the people

The government in Islam is the manifestation of God's sovereignty upon the earth, and a state based upon such a vision is by no means in harmony with oppression, injustice and any of the various forms of social idolatry. It is comparable to the authority of the human soul adorned with all sublime human qualities, and it is not possible for such a soul to become a source of physical oppression, injustice and .tyranny

To further explain this point, we may say that the meaning of government of the people over themselves, is not that a handful of men may forcefully impose general policies and frameworks of social life on the rest of individuals. Nor it is true democracy that a section of society should be able to impose its whims and baseless .fancies on the rest of people

Similarly, it is not democracy that a group may have the power to impose upon others whatever they imagine as being fit or as being in the interest of the people; because, the real purpose of the state is to lead people towards the goal of ‘rational life' and to .bring about harmony and coordination among their ranks for realization of this goal

We should remember that movement towards ‘rational life' is not a naturally existing current in the society; instead, such a current has to be created. The currents that

naturally exist in every society are those which are based on the natural animalistic .instincts that operate in a self…perpetuating fashion in the social atmosphere

For the creation of ‘rational life' for a society, the state is an absolute necessity so as to guide the purely physical and biological entity towards the ideal of rational social existence; so that, the crude biological reality is transformed into a refined spiritual .ideal which does not come into existence by itself

Therefore, the meaning of government of the people over themselves is the sovereignty of their pure unspoiled consciousness and intellect rather than the sovereignty of force and power, personal or group bias, fancies, prejudice's, and the .like

We think no supporter of the sovereignty of the people, however staunch, will have anything significant to add to what we have discussed above as the criteria for righteous government. We do not think any thinker, in his right mind, and familiar with human nature, and moreover cognizant with various aspects of social and individual existence, will ever advocate power and force, people's prejudices and baseless .fancies as the criteria of true democracy

Not even Machiavelli, who, in the view of most thinkers, has committed the gravest treachery against mankind's political existence, will claim the above devious criteria as being the basis of a state. If Machiavelli can possibly offer any apology for his perverse work, he may say that he had only tried to discuss unscrupulous means for .despots and rulers to perpetuate their rule

In

any case, it may be regarded as indubitable that true democracy lies in the sovereignty of the pure and unadulterated intellect and consciousness of men. It is comparable to the management of human activities by the human soul or spirit and is .a direct manifestation of God's sovereignty over mankind

The Role of Consensus

The issues of consensus and counsel (ijma 'and shura) on the level of Muslim community have great significance in Islamic sources. Statements such as the :following are found in plenty in the Islamic texts

اَلْجَماعَهُ رَحْمهٌ.

(With group lies Divine mercy.(١

وَ يَدُ اللهِ مَعَ الْجَماعَهُ.

(The hand of God is with the group or community.(٢

These two traditions point out to a basic reality that individuals, when organized in groups, can benefit from one another's understanding, intellect and conscience for attainment of a predetermined goal. The least that can be said about people coming together for mutual consultation is that their individual understanding increases in arithmetical and sometimes in geometric progression. A prophetic tradition gives high :worth to the opinion of a person who relies on the counsel of others

أفْضَلُ النَّاسِ رَأيًا مَنْ لا يَستَغْنِى عَنْ رَأيِ مُسْتَشير.

The most merited of men in matters of opinion is one who regards others' counsel as (indispensable.(٣

:Two Qur’anic verses point out the significance of counsel...taking from others

فَبِمَـا رَحْمَهٍ مِّنَ الـلَّــهِ لِنتَ لَهُمْ وَلَوْ كُنتَ فَظًّا غَلِيظَ الْقَلْبِ لَانفَضُّوا مِنْ حَوْلِكَ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِى الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّــهِ إِنَّ اللَّــهَ يُحِبُّ الْمُتَوَكِّلِينَ (آل عمران: ١٥٩)

It was by mercy of God that you (the Prophet (S)) were gentle to

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۱ – Ayatullah Aqa Mirza Muhammad Husayn Na'ini, Tanbih al...ummah wa tanzah al...millah, p. ۳۴.

۲- Tanbih al...ummah wa tanzah al...millah, p. ۵۶.

۳- Tanbih al...ummah wa tanzah al...millah, p. ۳۴.

them; had you been harsh and hard of heart, they would have scattered from about you. So pardon them, and pray forgiveness for them, and take counsel with them in affairs; and when you are resolved, put your trust in God; surely God loves those who put their trust in Him. (۳:۱۵۹)

فَمَا أُوتِيتُم مِّن شَيْءٍ فَمَتَاعُ الْحَيَاهِ الدُّنْيَا وَمَا عِندَ اللَّهِ خَيْرٌ وَأَبْقَىٰ لِلَّذِينَ آمَنُوا وَعَلَىٰ رَبِّهِمْ يَتَوَكَّلُونَ (۳۶) وَالَّذِينَ يَجْتَنِبُونَ كَبَائِرَ الْإِثْمِ وَالْفَوَاحِشَ وَإِذَا مَا غَضِبُوا هُمْ يَغْفِرُونَ (۳۷)وَالَّذِينَ اسْتَجَابُوا لِرَبِّهِمْ وَأَقَامُوا الصَّلَاهَ وَأَمْرُهُمْ شُورَىٰ بَيْنَهُمْ وَمِمَّا رَزَقْنَاهُمْ يُنفِقُونَ (۳۸) وَالَّذِينَ إِذَا أَصَابَهُمُ الْبَغْيُ هُمْ يَنتَصِرُونَ (۳۹)

Whatever thing you have been given is the enjoyment of the present life; but what is with God is better and more enduring for those who believe and put their trust in their Lord. And those who avoid the heinous sins and indecencies and when they are angry forgive, and those who answer their Lord, and perform the prayer, their affair being counsel between them, and they expend of that We have provided them, and who, when injustice affects them help owe another. (۴۲:۳۶…۳۹)

The above two verses require some explanation. The first verse does not mention any qualification for those who should be consulted. This has led some to imagine that all persons irrespective of their intellectual development can provide useful advice. This does not appear to be correct; because, mutual counsel always occurs among a group of persons about a subject that is not self…evident, and around which all members taking part in a consultation express their

personal opinions and beliefs. The members of a council attempt to illuminate an issue that is unclear at the beginning, and try to find a solution to maximize profit or benefit .of their community and minimize its losses and dangers

In view of this objective of a council, if, supposedly, all members participating in the process of consultation lack in the necessary qualities of commitment, knowledge and perception required to deal with the issues, the results of their consultation will be most undesirable: It may be said, therefore, that a person lacking in the qualities of commitment, knowledge and perception has nothing to offer for the benefit of other .human beings through his opinions

Accordingly, to disregard the necessity of commitment, knowledge and perception for discovery of the best and the most beneficial opinion in the favour of the interests of the people…which is the ultimate goal of counsel and consultation…is a mistake that no committed ruler of any society can afford to make. In addition, it may be pointed out that the aforementioned Qur'anic verse is, in the first place, addressed to the Holy Prophet (S) himself. Is it acceptable that the Prophet (S), with his supreme knowledge of all things beneficial and detrimental for his people's lives, should be asked to equate his intellect with the mind of a person utterly devoid of knowledge and ?perception

Consequently, we are led by reason to adopt the interpretation of this verse pointed out above; that is, the members of a

council should possess the necessary qualifications. Aside from what we said, the second verse quoted above clarifies the exact meaning of counsel enjoined by the first one. The latter verse defines the eligible members of a council as those who :possess the following qualifications

.۱ They are free of major sins, deviations and indecencies;

.۲ They are serene and forgiving in anger;

.۳ They, in general, answer Divine call and observe Divine commands as for salat ;

.۴ They assist others out of what God has provided them with;

.۵ When their brothers are subject to injustice and oppression, they hasten to their .support and assistance

It is clear from the above explanation that awareness and knowledge about the subject of consultation is as essential as the qualities of justice, commitment and taqwa (god-fearing). There is a prophetic tradition quoted by the late Ayatullah Aqa Mirza Muhammad Husayn Na' ini

أشِّيروا عليَّ أصْحابِى.

.O companions, advise me

At the time of the Battle of Uhud, the Prophet (S), and a number of companions, were of the opinion that they should face the enemy while remaining inside the city of Medina. But, since the majority of the Prophet's companions wanted to go out of the .city to fight the enemy, the Prophet (S) gave his consent

However, it later became clear that the Prophet's suggestion was right. Similarly, in the Battle of Ahzab (Khandaq), the majority of the companions was against con… ciliation with the tribe of Quraysh. The late Ayatullah Na'ini, linking the principle of shura (counsel) with the general

Sirah of the Prophet (S), writes: “The books on the history of the Prophet's life, bear, out in detail the fact that the principle of counsel is firmly based on the sunnah of the Prophet and such statements of the Prophet (S) as ‘O companions, advise me'”.

The issue of shura has received special treatment in the discourses of Imam ‘Ali, Amir al...Mu'minin (A). In one of his sermons, ‘Ali (A) says:

فَلا تُثْنُوا عَلَىَ بِجَمِيلِ ثَناء لِإخراجِ نَفْسى إلى اللهِ وَ إلَيْكُمْ مِنَ التَّقِيِّهِ فى حُقُوقٍ لَمْ أَفْرَغْ مِنْ أدائِها وَ فَرائِضَ لا بُدَّ مِنْ إمْضائِها. فَلا تُكَلِّمُونى بِما تُكَلَمُ بِهِ الْجبابِرهُ وَ لا تَتَحفظُوا مِنِّى بِما يُتَحفَظُ بِهِ عِنْدَ أَهْلِ الْبادِرهِ وَ لا تُخالِطُونى بِالمُصانَعهِ وَ لا تَظُّنُوا بى اسْتِثْقالاً فى حَقٍّ قِيْلَ لى وَ لا الْتِماسَ إعْظام لِنَفْسى، فَإنَّهُ مَنِ أسْتَثْقَل الْحَقَّ أنْ يُقالَ لَهُ أَوْ الْعَدْلَ أَنْ يُعْرَضَ عَلَيْهِ كانَ الْعَمَلُ بِهِما أَثْقَلَ عَلَيْهِ فَلا تَكُفُوا عَنْ مَقالَهٍ بِحَقٍّ أَو مَشُورَهٍ بِعَدْلٍ، فَأنِّى لَسْتُ فى نَفْسِى بِفَوْقَ أَنْ أَخْطِىء وَ لا آمَنُ ذلِكَ مِنْ فِعْلِى إلّا أنْ يَكْفِىَ اللهُ ما هُوَ أمْلَكُ بِهِ مِنِّى. فَإنَّما أَنا وَ أَنْتُمْ عَبِيدٌ مَمْلُوكُون لِرَبٍّ لا رَبَّ غَيْرُهُ يَمْلِكُ مِنّا ما لا نَمْلِكُ مِنْ أنْفُسِنا او اخرَجْنا مِمَّا اِلى ما صَلَحْنا عَلَيْهِ فَأَبْدَلَنا بَعْدَ الظَّلالَهِ بِالهُدى وَ أَعْطانا اَلبَصْيرَهَ بَعْدَ الْعَمى.

Do not flatter me for the obligations I have discharged towards Allah and towards you; I have done nothing more than discharge my continuing obligations and have performed by obligatory duties. Do not address me in the manner despots are addressed. Do

not treat me with the affected caution and reserve with which tyrants are usually .treated. Do not think that when truth is said in my presence, it would be hard upon me

For, if one finds it difficult to hear a word of truth and justice, he would find it much more difficult to act upon it. Therefore, do not abstain from mentioning the truth and .do not hold back from me your honest advice

I do not regard myself above erring and ١ am not secure from it except that God, who has more power over my self than I myself, sages me from it. Certainly, I and you are slaves of Allah, besides whom there is no lord. He rules over that part of ourselves which is beyond our own control. It is He who has raised us from the lowest state of life to the sublime station of humanity. He gage us guidance which replaced misguidance, and bestowed upon us vision which took the place of blindness.(١)

The above quotation throws light on the significance of counsel. It lays great emphasis on the necessity of accepting truth without pride or irritation. Expression of truth, even if it is not in the shape of counsel, is enjoined and encouraged. Imam ‘Ali (A) enjoins people not to withhold their candid advice from him. Elsewhere he says:

لا ظَهِيرَ كَالمُشاوَرَهِ.

.There is no backing like counsel

وَ لا مُظاهَرَهَ أَوْثَقُ مِنَ المُشاوَرَهِ.

.There is no backing firmer than counsel

And

وَ ٱلاسْتِشارَهُ عَيْنُ الْهِدايَهِ وَ قَدْ خاطَرَ

١- Nahj al-Balagha, vol. III, p. ۴٧٨.

مَنِ اسْتَغنی بِرَأیِهِ.

Counsel is to guidance what eyes are to the body. Confining solely to one's' own .opinion as risky and dangerous

Ali (A), in his lifetime, was a staunch adherer to the principle of shura. As the late' Ayatullah Na'ini points out, during the time of his caliphate and at the most sensitive times of his rule, All (A) acted according to the opinion of the majority, even though he strongly disagreed with it. During his confrontation with Mu'awiyah, he had to yield to arbitration as demanded by the majority…a matter which added immensely to 'Ali's .difficulties

Later, when they realized their error, 'Ali (A) told them, "I had advised you against it. I tried to convince you that justice was on your side in the battle against Mu'awiyah, but you did not accept." That regrettable incident of Islamic history bears unequivocal .testimony to the legal validity of the opinion of the people

The Islamic texts, the Qur'an, hadith (traditions), and the lives and practice of Divine leaders of Islam, all confirm the fact that shura or counsel is one of the most evident and necessary Islamic principles, denial of which can be explained by either .ignorance, malice or conceit

The Basis of Shura

In the light of the Qur'anic verses and traditions quoted in the course of our discussion, it may be asserted that human reason and prophetic revelation are the inner and outer sources of Divine sovereignty. In view of our discussion about the ultimate aim of consultation or shard as a collective

rational means for arriving at truth, it may be added that the legitimacy of the .principle of shura in Islam is supported both by reason and by prophetic revelation

Therefore, the outcome of a right kind of consultation conducted among those who .possess the five qualities mentioned earlier, has the necessity of a law attached to it

On the other hand, we know that the opinions of the people, no matter how much free of deviations and delusions they may be, are not secure from error; because, the individual intellects of the people generally lack the necessary qualities of awareness, .aptitude, understanding and psychological stability

These qualities are not so common so as to consider the opinion of a section, or even that of the majority of persons in a society, as a realistic means for reaching a desirable goal. Bertrand Russell, the Western thinker of renown says: "Possession of a balanced intellect is a totally relative matter. Very few individuals have completely balanced minds. Almost everyone has a certain angle of madness in him."(۱)

In one of his books at first he poses this question: one of the difficulties facing man is that he seems incapable of doing anything with moderation; if possibly he begins some work in a good manner, he soon pushes it to some kind of extreme; will man, ?after all, learn to tread the path of moderation

Then, in reply Russell says: "I am hopeful and confident that man will at last find the middle path. It

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۱ - Jean...Jacques Rousseau, The Social Contract, p.۸۴, English translation by Maurice .Cranston, Penguin Books, ۱۹۷۸

is my belief that it is most necessary and that it is totally possible. I do not consider (those dark prophecies as a word of revelation.” (١)

Alfred North Whitehead writes: “Human nature has become so much entangled that the worth of programmes charted out for correct management of society is con-sidered less than rubbish by statesmen.” A little amount of study is enough to provide (plenty of similar examples from all thinkers of the East and the West.(٢)

With the assumption that moderation of thought and balance of intellect is found in a very restricted number of persons, how is it Possible to vindicate and consider as valid the outcome of consultation and deliberation among persons? The Islamic answer to :this question can be put as follows

Firstly, Islam regards the perpetual education, training and guidance of individuals in an Islamic society and upliftment of their level of awareness, knowledge of the real .world and spiritual purification as a fundamental social duty

Preparation of the people for thinking in a correct manner is a duty that can be of considerable assistance in laying the foundations of ‘rational life'. This can also be inferred from the inspiring words of ‘Ali (A) in which he puts the complete responsibility of the multi-faceted development of human beings on the shoulders of :their ‘guardians' at all social levels

كُلُكُمْ راعٍ وَ كُلُكُمْ مَسْؤُلٌ عَنْ رَعِيَّتِهِ.

(All of you are tenders of your flock and responsible for it.(٣)

Secondly, the principle of counsel is a great blessing of God that

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١- Ibid. p. ٨۴.

٢- Ibid. p. ٨٧.

٣- Kulayni, Usul al-Kafi, vol. I, p. ١۶, Tehran.

allows people to rely on themselves. It makes them aware of their hidden constructive capacities and talents and awakens them to the significance of mutual understanding for creation of social consensus and harmony. By confirming this principle, God has confirmed man's capacity for organizing his life on the basis of .reason and intelligence

The fact that the opinion of the majority, or even a total social consensus does not necessarily lead to the right view, is evident and indubitable; but it does not invalidate the basis of the principle of counsel; because, God, who has asked man to follow the right path, has also provided the means of attaining righteousness and laid down a .law for movement towards that goal

That law is that man, in search of the ‘rational life', should orient himself towards reality with all his existence. That is, in a room where he can have access to sunlight itself by moving aside the curtains from windows, he should not light a dim lamp and .deceive himself

When he cannot reach out for the sun, he should not enshroud himself in total darkness, but should make use of any secondary source of light that he can get hold of Shura, or counsel, is that secondary source of light that can deliver human beings from total darkness when there is no possibility of approaching reality itself. It is just this degree of deliverance from darkness and access to reality that is acceptable to the Creator of life and

:death, who says

وَ أَمْرُهُمْ شُورى بَيْنَهُمْ.

(And their affair is through counsel among them. "(۴۲:۳۸"

This is a just one aspect of the utility of counsel. Another aspect of shura is that it affords individuals to express their opinion in accordance with their highest intellectual perceptions, and, since awareness, justice and stability are the requisite conditions of participants in a council, even if the product of their counsel is opposed .to what it should have been, it does not reduce anything from its true worth and value

Because, their decision-making errors do not necessarily indicate ignorance, corruption or perverseness on the part of the members of the shura; rather, it reflects an inadvertent weakness and shortcoming for which no one may be blamed. Now we can proceed to discuss the most fundamental issues of shura from the point .of view of Islam

The Subject of Shura In Islam

From our foregoing discussion it became clear that shura means assembly of a group of persons who are capable, reliable and well informed about a subject, for the .purpose of reaching a truth related with that subject through consultation

The subject (maudu') of shura in Islam, that is the affairs which are subject to counsel and consultation, consists of all the spheres of human life as well as the background for determination of the secondary laws (al-ahkam al-thanawiyyah). To explain this further, it may be said that all matters of opinion surrounding the individual and 'collective life of Muslims are divided into two categories: hukm and maudu

Hukm

point

Hukm or command applies to the

.primary (awwali) and the secondary (thanawi) laws

The Primary Laws

The al_ahkam al_awwaliyyah (the primary laws) constitute all Islamic duties and obligations deduced and inferred by jurists (fuqaha' or Mujtahidin) from the four sources consisting of the Book, sunnah, ijma' (consensus) and 'aql (reason), and are communicated to all Muslims. The al_ahkam al_awwaliyyah, or the primary laws, .constitute the duties of all responsible (mukallaf) Muslim men and women

These laws, since they are by no means subject to change or variation, are never set forth for consultation or shura, such as the five categories of acts, which are, wajib (obligatory), muharram (forbidden), mustahabb (enjoined but not obligatory), makruh (distasteful and undesirable) and mubah (permissible). None of the acts of a mukallaf are outside these five categories, such as, salat, saum, hajj, zakat, khums, jihad, and .defence

Other primary laws relate to the commercial dealings, punishments (hudud), compensation (diyyah, blood money or indemnity for bodily injury), and yet others .relate to the process of trial, testimony and litigation et al

The general definition for this category is that these laws are those which, being based on the Qur'an, sunnah, ijma' and 'aql, with due consideration of the physical and spiritual nature of man and its proneness to various deviations and defects, and with view to various things which are to its benefit and advantage, are not subject to any form of change whatsoever; although they are subject to modulation, depending .(on the varying states and conditions of a mukallaf (a responsible Muslim

These varying conditions

of a muhallaf may be such as travelling, presence in home…town, compulsion, .exigency, or any other ordinary or extraordinary condition

There… is a very important point related to these laws, and which must be duly observed, is that, in view of the close social relations of Muslims with one another and also their relations with non Muslim communities, the variance of opinion among jurists…a natural consequence of the controversial nature of the jurist's material and sources……should not be the cause of disturbance and confusion in the social life of .Muslims

For this reason, it is necessary that the fatawa (legal opinions) and laws related with social affairs should be issued through a council of leading jurists; if not, variance of .legal opinion can cause considerable confusion and disturbance in the Islamic society

The Secondary Laws

The secondary laws, or al…ahkam al…thanawiyyah, are those issued by someone who is a faqih jami' al…shara'it (a faqih well…versed in all spheres of the Islamic Shari'ah, an all…rounder jurisprudent) with due consideration of the circumstances and conditions of an individual or society. An example of this category of laws is the famous fatwa issued by the late Ayatullah Aqa Mirza Muhammad Husayn Shirazi…may God's mercy .be upon him forbidding the use of tobacco

:The difference between the primary and secondary laws can be put as follows

The former are directly based on the four sources, namely, the Book, the sunnah, .١ ijma' and 'aql, and which being the class of unchanging Islamic laws, together with the ,fundamental doctrines of the faith

constitute the framework of Islam. The secondary laws, on the other hand, do not directly correlate with the four above…mentioned sources, but are the product of juristic inference drawn in view of the provisional conditions of an individual or the .community

This does not, however, mean that the secondary laws deduced by a faqih jami ‘ al … shara'it have no connection with the four sources of law. It means that the faqih jami’ al…shara'it, in consultation with other jurisprudents, issues a fatwa or legal verdict for the benefit of the Muslim society or in order to thwart a danger threatening it through inspiration from general principles and laws that specify the duty to safeguard the .existence of the Islamic society

.۲ An important point to note in connection with the secondary laws is that they relate to the category of actions and affairs that are generally considered mubah or permissible, as in the case of tobacco, which is mubah, and was forbidden by the late Ayatullah Shirazi. The primary laws, on the other hand, are not changeable on any .account

.۳ The primary laws, which are suspended in case of idtirar (exigency), ijbar (coercion), or karahiyyah (reprehensibility), should not be confused with the secondary laws (al…ahkam al…thanawiyyah). For instance, in case of insecurity of roads and .sea…routes the faqih may suspend the obligation of the hajj pilgrimage

This is not a secondary law because the duty of hajj is suspended or prohibited since ‘ilm (knowledge), ikhtiyar (freedom) and qudrah (power) are the

.fundamental requirements for the application of a wajib

With the disappearance of the cause and motive behind the secondary laws, their .۴ validity expires and the domain (maudu')(۱) of its application returns to the sphere of .primary laws

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Maudu or subject of a law, means the domain or sphere of personal or social life to -۱ which the law applies. More specifically, every relation between man and the world that constitutes a field of activity, can be considered as the maudu ` of a law. For example, agriculture is an important field of human activity. It is said to be a maudu` or subject of one or more laws. For instance in case of its necessity for human existence it may be declared a wajib. Marriage is yet another maudu` subject to various laws depending on its degree of necessity; that is, it may be specified as a wajib in some cases, and as a mustahabb in others. Similarly, the issues of war and peace between Muslims and non…Muslims are domains subject to various laws depending on the varying conditions. Also activities such as production, distribution, exploitation of underground resources education and so on, are all different domains subject to a variety of laws depending upon varying conditions of the individual or .society

About center

In the name of Allah

هَلْيَسْتَوِيالَّذِينَيَعْلَمُونَوَالَّذِينَلَايَعْلَمُونَ

?Are those who know equal to those who do not know

al-Zumar: ٩

:Introduction

Ghaemiyeh Computer Research Institute of Isfahan, from ٢٠٠٧, under the authority of Ayatollah Haj SayyedHasanFaqihImami (God blesses his soul), by sincere and daily efforts of university and seminary elites and sophisticated groups began its activities .in religious, cultural and scientific fields

:Manifesto

Ghaemiyeh Computer Research Institute of Isfahan in order to facilitate and accelerate the accessibility of researchers to the books and tools of research, in the field of Islamic science, and regarding the multiplicity and dispersion of active centers in this field

and numerous and inaccessible sources by a mere scientific intention and far from any kind of social, political, tribal and personal prejudices and currents, based on performing a project in the shape of (management of produced and published works from all Shia centers) tries to provide a rich and free collection of books and research papers for the experts, and helpful contents and discussions for the educated generation and all classes of people interested in reading, with various formats in the .cyberspace

:Our Goals are

(propagating the culture and teachings of Thaqalayn (Quran and Ahlulbayt p.b.u.t-

encouraging the populace particularly the youth in investigating the religious issues-

replacing useful contents with useless ones in the cellphones, tablets and computers-

providing services for seminary and university researchers-

spreading culture study in the publich-

paving the way for the publications and authors to digitize their works-

:Policies

acting according to the legal licenses-

relationship with similar centers-

avoiding parallel working-

merely presenting scientific contents-

mentioning the sources-

.It's obvious that all the responsibilities are due to the author

:Other activities of the institute

Publication of books, booklets and other editions-

Holding book reading competitions-

Producing virtual, three dimensional exhibitions, panoramas of religious and tourism- places

.Producing animations, computer games and etc-

Launching the website with this address: www.ghaemiyeh.com-

Fabricatingdramatic and speech works-

Launching the system of answering religious, ethical and doctrinal questions-

Designing systems of accounting, media and mobile, automatic and handy systems,- web kiosks

Holding virtual educational courses for the public-

Holding virtual teacher-training courses-

Producing thousands of research software in three languages (Persian, Arabic and- English) which can be performed in computers, tablets and cellphones and available and downloadable with eight international formats: JAVA, ANDROID, EPUB, CHM, PDF, HTML, CHM, GHB on the website

Also producing four markets named "Ghaemiyeh Book Market" with Android, IOS,- WINDOWS PHONE and WINDOWS editions

:Appreciation

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